

which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 2:27 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 81. An act to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

H.R. 326. An act to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes.

H.R. 844. An act to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 81. An act to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks; to the Committee on Commerce, Science, and Transportation.

H.R. 326. An act to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes; to the Committee on Indian Affairs.

H.R. 844. An act to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services:

Special Report entitled "Report on the Activities of the Committee on Armed Services, 110th Congress, First and Second Sessions" (Rept. No. 111-5).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DURBIN (for himself, Mr. GREGG, Mr. KENNEDY, Mr. BURR, Mr. DODD, Mr. ALEXANDER, and Mr. ISAKSON):

S. 510. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the

safety of the food supply; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWNBACK (for himself and Mr. TESTER):

S. 511. A bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals; to the Committee on Finance.

By Mr. MARTINEZ (for himself, Mr. KOHL, Mr. DURBIN, and Mr. FEINGOLD):

S. 512. A bill to amend chapter 1 of title 9, of United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SANDERS:

S. 513. A bill to require the Board of Governors of the Federal Reserve System to publish information on financial assistance provided to various entities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA:

S. 514. A bill to amend title 38, United States Code, to enhance vocational rehabilitation benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. HATCH, Mr. SCHUMER, Mr. CRAPO, Mr. WHITEHOUSE, Mr. RISCH, and Mrs. GILLIBRAND):

S. 515. A bill to amend title 35, United States Code, to provide for patent reform; to the Committee on the Judiciary.

By Mr. DODD:

S. 516. A bill for the relief of Majan Jean; to the Committee on the Judiciary.

By Mr. DODD:

S. 517. A bill for the relief of Alejandro Gomez and Juan Sebastian Gomez; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. REED, Mr. CASEY, and Mr. LEVIN):

S. 518. A bill to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself and Mr. CHAMBLISS):

S. 519. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to implement pesticide-related obligations of the United States under the international conventions or protocols known as the PIC Convention, the POPs Convention and the LRTAP POPs Protocol; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN:

S. 520. A bill to designate the United States Courthouse under construction at 327 South Church Street, Rockford, Illinois, as the "Stanley J. Roszkowski United States Courthouse"; considered and passed.

By Mr. INHOFE:

S. 521. A bill to enhance the oversight authority of the Comptroller General of the United States with respect to certain expenditures by financial institutions participating in the Troubled Asset Relief Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S.J. Res. 13. A joint resolution proposing an amendment to the Constitution of the United States relative to parental rights; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DORGAN (for himself and Mr. MCCAIN):

S. Res. 62. A bill establishing a select committee of the Senate to make a thorough and complete study and investigation of the facts and circumstances giving rise to the economic crisis facing the United States and to make recommendations to prevent a future recurrence of such a crisis; to the Committee on Rules and Administration.

#### ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 321

At the request of Mr. VOINOVICH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 321, a bill to require the Secretary of Homeland Security and the Secretary of State to accept passport cards at air ports of entry and for other purposes.

S. 345

At the request of Mr. LUGAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 345, a bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2012, to rename the Tropical Forest Conservation Act of 1998 as the "Tropical Forest and Coral Conservation Act of 2009", and for other purposes.

S. 416

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 416, a bill to limit the use of cluster munitions.

S. 422

At the request of Ms. STABENOW, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 442

At the request of Mr. DORGAN, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 442, a bill to impose a limitation on lifetime aggregate limits imposed by health plans.

S. 450

At the request of Mr. BAUCUS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 450, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 475

At the request of Mr. BURR, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 478

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 478, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 487

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 487, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 491

At the request of Mr. WEBB, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 495

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 495, a bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process.

S. 496

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 496, a bill to provide duty-free treatment for certain goods from designated Reconstruction Opportunity Zones in Afghanistan and Pakistan, and for other purposes.

S. 501

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 501, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the marketing of authorized generic drugs.

S. RES. 57

At the request of Mr. BAUCUS, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. Res. 57, a resolution designating the first week of April 2009 as "National Asbestos Awareness Week".

AMENDMENT NO. 592

At the request of Mr. MCCAIN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 592 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 596

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 596 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 601

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of amendment No. 601 intended to be proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 607

At the request of Mr. WICKER, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Kentucky (Mr. BUNNING), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. COBURN), the Senator from Louisiana (Mr. VITTER), the Senator from Iowa (Mr. GRASSLEY), the Senator from South Dakota (Mr. THUNE), the Senator from Kansas (Mr. ROBERTS) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of amendment No. 607 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 608

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 608 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 610

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 610 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

AMENDMENT NO. 611

At the request of Mr. THUNE, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 611 intended to be proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. GREGG, Mr. KENNEDY, Mr. BURR, Mr. DODD, Mr. ALEXANDER, and Mr. ISAKSON):

S. 510. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today I rise to introduce the FDA Food Safety Modernization Act.

When I introduced this bill in the last Congress, we were in the middle of one of the largest food-borne illness outbreaks in the history of our country. Nearly 1500 people fell sick last spring and summer because of *Salmonella* Saintpaul, leading to a Government investigation that pointed the finger first at tomatoes and then at jalapeno peppers in Texas before settling on Serrano peppers in Mexico. In the meantime, more people got sick and the tomato industry lost up to hundreds of millions of dollars.

Less than a year later, we find ourselves in the middle of yet another nationwide outbreak: peanut butter tainted with *Salmonella*, the second case of its kind in 2 years. There is not a day that goes by that we don't hear about another recalled peanut butter product or another person sick with *Salmonella*. More than 660 people have been sickened, half of them children. At least nine people are dead. Over 2,600 products have been recalled, in a recall that goes back to March 2005 and could continue for at least another couple of years, making this one of the biggest food recalls in our Nation's history.

Unfortunately, these problems seem to be par for the course. In the last couple of years we have seen *Salmonella* in our peppers and peanut butter and *E. coli* in our spinach. Our food safety problems do not just start and stop at home: we have also seen chemically tainted pet food, milk products, and seafood from China.

These problems are only the tip of the iceberg. Every year, more than 76 million Americans become sick because of a food-borne illness, 325,000 are hospitalized, and 5,000 die.

It is clear that the Food and Drug Administration, who regulates these foods and 80 percent of our food supply, including virtually all food imports, can not keep up. The agency is underfunded and overwhelmed. It operates under an obsolete, largely reactive 1938 law. Its food safety program has not kept up with the dramatic changes in our food system, and it does a poor job of preventing and responding to food safety problems. As a result, consumers suffer and so do businesses something we can never afford, but especially in these trying economic times.

Our food safety system is in crisis and it is time that we act. That's why Senator GREGG and I are introducing